

REMARKS

Claims 1-35 are pending in this application. Applicant appreciates the Quayle Action's indication that claims 1-35 are allowed. Accordingly, Applicant submits formal drawings, and Form PTO/SB/55 indicating that the ribboned original patent grant is lost or inaccessible under 37 C.F.R. §1.178(a).

The Quayle Action objects to the application under 37 C.F.R. §1.172(a) as lacking the written consent of all assignees. This objection is respectfully traversed.

The Quayle Action asserts that the Consent of Assignee to Reissue and Offer to Surrender Patent (the "Consent of Assignee"), filed on January 3, 2002, is defective because it does not establish the percentage of ownership, i.e., "the entire right, title and interest is vested in" The Quayle Action thus requests a new consent statement.

Applicant respectfully submits that the January 3, 2002 Consent of Assignee fully satisfies the requirements under 37 C.F.R. §1.172 and §3.73, because the Consent of Assignee is a signed statement that (1) identifies Xerox Corporation as the assignee, and (2) specifies that an Assignment was recorded in the U.S. Patent and Trademark Office on January 11, 1996 at Reel 7866, Frame 0650.

The Quayle Action appears to require that the Consent of Assignee to contain a statement regarding the percentage of ownership. However, Applicant respectfully notes that, under 37 C.F.R. §1.172(c), the percentage needs to be indicated only if the Consent of Assignee is submitted by an assignee of less than the entire right, title and interest. 37 C.F.R. §3.73 does not require an indication of the percentage when the assignee is not of less than the entire right, title and interest.

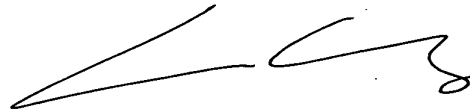
Xerox Corporation is the only assignee of the present application with "full and exclusive right," as evidenced in the above-identified assignment recorded at the U.S. Patent and Trademark Office. (For the Examiner's convenience, a courtesy copy of the assignment

is attached hereto.) Therefore, Xerox Corporation is not required to indicate a percentage of its ownership of the present application.

For at least the above reason, the January 3, 2002 Consent of Assignee is in full compliance with the requirements of 37 C.F.R. §1.172 and §3.73. Accordingly, withdrawal of the objection to the application under 37 C.F.R. §1.172(a) is respectfully requested.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Registration No. 50,559

JAO:GXL/mdw

Attachments:

Formal Drawings
Form PTO SB/55
Courtesy Copy of Assignment

Date: March 18, 2005

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